

SECOND REGULAR SESSION

# HOUSE BILL NO. 2103

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES REHDER (Sponsor),  
RICHARDSON AND REDMON (Co-sponsors).

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D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 339.507, RSMo, and to enact in lieu thereof two new sections relating to the real estate appraisers commission.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 339.507, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 339.507 and 339.531, to read as follows:

339.507. 1. There is hereby created within the division of professional registration the "Missouri Real Estate Appraisers Commission", which shall consist of seven members appointed by the governor with the advice and consent of the senate, six of whom shall be appraiser members, and one shall be a public member. Each member shall be a resident of this state and a registered voter for a period of one year prior to the person's appointment. The president of the Missouri Appraiser Advisory Council in office at the time shall, at least ninety days prior to the expiration of the term of the commission member, other than the public member, or as soon as feasible after the vacancy on the commission otherwise occurs, submit to the director of the division of professional registration a list of five appraisers qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri Appraiser Advisory Council shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association. The public member shall have never been engaged in the businesses of real estate appraisal, real estate sales or making loans secured by real estate.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16           2. The real estate appraiser members appointed by the governor shall be Missouri  
17 residents who have real estate appraisal experience in the state of Missouri for not less than five  
18 years immediately preceding their appointment. Appraiser members of the commission shall be  
19 appointed from the registry of state-certified real estate appraisers and state-licensed real estate  
20 appraisers. **Real estate appraiser commission members shall not be from the same United**  
21 **States congressional district.**

22           3. All members shall be appointed for three-year terms. All members shall serve until  
23 their successors have been appointed and qualified. Vacancies occurring in the membership of  
24 the commission for any reason shall be filled by appointment by the governor for the unexpired  
25 term. Upon expiration of their terms, members of the commission shall continue to hold office  
26 until the appointment and qualification of their successors. No more than four members of the  
27 commission shall be members of the same political party. No person shall be appointed for more  
28 than two consecutive terms. The governor may remove a member for cause.

29           4. The commission shall meet at least once each calendar quarter to conduct its business.  
30 A quorum of the commission shall consist of four members.

31           5. Each member of the commission shall be entitled to a per diem allowance of fifty  
32 dollars for each meeting of the commission at which the member is present and shall be entitled  
33 to reimbursement of the member's expenses necessarily incurred in the discharge of the member's  
34 official duties. Each member of the commission shall be entitled to reimbursement of travel  
35 expenses necessarily incurred in attending meetings of the commission.

36           6. **The commission shall prepare an annual report outlining business conducted by**  
37 **the commission during the previous calendar year and shall submit a copy to the general**  
38 **assembly by April first of each year. The report shall include:**

39           (1) **The number of complaints that were filed against licensees;**

40           (2) **The number and disposition of investigations conducted by the commission**  
41 **pursuant to the filing of a complaint; and**

42           (3) **An accounting of all expenditures of the commission.**

2           **339.531. 1. Any person may file a complaint with the commission alleging that a**  
3 **licensee has committed any combination of the acts or omissions provided in subsection 2**  
4 **of section 339.532. A complainant is not required to specify the provisions of law or**  
5 **regulations alleged to have been violated in the complaint.**

6           **2. Upon the receipt of a complaint against a licensee, the commission shall**  
7 **investigate the actions of the licensee against whom the complaint is made. In conducting**  
8 **an investigation, the commission may request the licensee under investigation to:**

          (1) **Answer the charges made against him or her in writing;**

9           (2) Produce relevant documentary evidence pertaining to the specific complaint  
10 causing the investigation; and

11           (3) Appear before the commission.

12           3. A copy of any written answer of the licensee requested under subsection 2 of this  
13 section may be furnished to the complainant.

14           4. The commission shall notify the complainant and the licensee that an  
15 investigation has been commenced within ten working days of receipt of the complaint.  
16 The commission shall also notify and inform the complainant and licensee of the status of  
17 the investigation every sixty days following the commencement of the investigation. No  
18 investigation shall last longer than six months. Once an investigation is closed or dismissed  
19 it shall not be reopened.

20           5. In the event that the commission fails to meet the notification and investigation  
21 requirements of this section or does not finish the investigation within six months, then the  
22 commission shall provide the complainant at the commission's expense with an appraisal  
23 and an appraisal report of the real estate originally appraised by the licensee under  
24 investigation.

25           6. The commission may at its discretion investigate anonymous complaints. Upon  
26 its own motion, the commission may initiate an inquiry or investigation against an  
27 applicant or licensee. A real estate appraiser member of the commission shall not take part  
28 or participate in the investigation of a direct competitor.

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